SINGLE BENCH

(2) (4)

P.R. No. 5322/06
Presented by Shri A. Mujumdar
dated 23/9/06

Cf 100 L

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

WRIT PETITION (S) NO. 5276/2006

PETITIONER : Gaindlal S/o- Birjhuram Aged about 59 years, R/o- Village Taraud Tahsil Balod, District Durg (C.G.)

VERSUS

RESPONDENTS :1. State of Chhattisgarh Through-the Secretary, Water resources Department D.K.S. Bhawan, Raipur (C.G.)

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2. Sub-Divisional Officer Kharkhara, Mohdipat Canal Project Sub-Division no.1, Sambalpur District-Durg (C.G.)

WRIT PETITION UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA

HIGH COURT OF CHHATTISGARH AT BILASPUR

(3P)

W. P. (S) No. 5276 of 2006

Petitioner : Gaindlal

Versus

Respondents : State of Chhattisgarh and another

SB: Hon'ble Mr. Justice Satish K. Agnihotri, J

Shri Anoop Mazumdar, Advocate for the petitioner.

Smt. Anju Ahuja, Deputy Govt. Advocate for the respondents/State.

O R D E R

(Passed on this 2nd day of February, 2007)

1. Learned counsel appearing for the petitioner as well as learned Deputy Government Advocate appearing for the respondents/State jointly submit that the facts of the present case are similar to that of in W. P. No. 454/2005 (Ram Prasad Yadav & others vs. State of Chhattisgarh & others), which was allowed vide order dated 4.1.2007. They further submit that the question of law involved is also the same.

2. In view of the above stated submissions made by learned counsel for the parties, the writ petition is allowed of in terms of the order dated 4.1.2007 passed by this Court in W. P. No. 454/2005. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Bablu